

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

LENZIE GILL,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO: CV-06-1151-MEF
)	
PROGRESSIVE DIRECT)	
INSURANCE COMPANY,)	
)	
Defendant.)	

RESPONSE TO PLAINTIFF'S BRIEF ON ISSUE OF JURISDICTION

Comes now the defendant, Progressive Direct Insurance Company ("Progressive"), pursuant to the court's order dated November 27, 2007, and files its response to plaintiff's brief on the issue of jurisdiction as follows:

1. Although Progressive does not agree with the plaintiff's attorney's brief to the court concerning her damages, it does not request that this case be remanded to state court.
2. If the plaintiff agrees to cap her damages at \$75,000, then Progressive would consent to this case being remanded to state court.
3. Therefore, Progressive does not request that this case be remanded to state court unless the plaintiff agrees to cap her damages at \$75,000.

/s/ R. Larry Bradford
R. Larry Bradford, Attorney for Defendant,
Progressive Direct Insurance Company
ASB-8038-f64r

/s/ Shane T. Sears

Shane T. Sears, Attorney for Defendant,
Progressive Direct Insurance Company
ASB-5531-r68s

OF COUNSEL:

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205-871-7733

CERTIFICATE OF SERVICE

I hereby certify that I have this the 11th day of December, 2007, served a copy of the foregoing to all attorneys of record by placing a copy of same by electronically filing and/or in the United States Mail, postage prepaid and properly addressed as follows:

Jerry M. Blevins, Esq.
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/s/ R. Larry Bradford

OF COUNSEL